

United States District Court
Eastern District of Michigan

Bankruptcy Matter
Civil Case Cover Sheet

District Court Label

In re:

CITY OF DETROIT, MICHIGAN

Case No.: 13-53846

Debtor.

AFSCME Council 25
and its Affiliated Detroit Locals

Adv. No.:

Appellant,

v.

City of Detroit, Michigan,

Appellee.

CAUSE OF ACTION/NATURE OF SUIT: (This matter is referred to the district court for the following reasons)

<u> X </u>	[422] 28 U.S.C. 158	Bankruptcy Appeal
<u> </u>	[422] 28 U.S.C. 158	Motion for Leave to Appeal
<u> </u>	[423] 28 U.S.C. 157(d)	Motion for Withdrawal of Reference
<u> </u>	[423] 28 U.S.C. 157(c) (1)	Proposed Findings of Fact and Conclusions of Law
<u> </u>	[423] 28 U.S.C. 158 (c) (a)	Order of Contempt

Date: 11/12/2014

Name: /s/ Richard G. Mack, Jr.

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:)	
)	Chapter 9
)	
CITY OF DETROIT, MICHIGAN,)	Case No. 13-53846
)	
Debtor.)	Hon. Steven W. Rhodes
)	
_____)	

**APPELLANTS AFSCME COUNCIL 25 AND ITS AFFILIATED DETROIT
LOCALS' DESIGNATION OF THE CONTENTS OF THE
RECORD AND STATEMENT OF ISSUES ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, appellants AFSCME Council 25 and its affiliated Detroit Locals ("AFSCME") submit this designation of the contents of the record and statement of issues on appeal regarding AFSCME's Notice of Appeal [Dkt. #8319] filed on October 30, 2014, pursuant to 28 U.S.C. § 158(a)(1) and Rules 8001(a) and 8002(b) of the Federal Rules of Bankruptcy Procedure from the Order Regarding City's Objection to the Proof of Claim #2958 filed by AFSCME Council 25 and its affiliated Detroit Locals. (Dkt. #4876)

I. Designation of the contents of the record on appeal.

ITEM	DATE FILED	DOCKET NUMBER	DESCRIPTION
#1	9/28/10		Excerpts from CBA

#2	11/8/11		City Council proposed Ordinance Amendment to Chapter 47 (13th Check)
#3	6/27/12		Class Action Complaint and Jury Demand
#4	10/4/13		Decision and Recommended Order of Administrative Law Judge on Summary Disposition
#5	2/21/14	2958	Proof of Claim
#6	5/5/14	4392	Fourth Amended Plan for the Adjustment of Debts of the City of Detroit
#7	5/15/14	4876	Objection of the City of Detroit, Pursuant to Sections 105 and 502(B) of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1, to Proof of Claim Number 2958 Filed by Michigan AFSCME Council 25 and its Affiliated Detroit Locals
#8	10/16/14	7982	Creditor AFSCME Council 25's Supplemental Brief in Support of Proof of Claim 2958 Pursuant to Sections 105 and 502(B) of the Bankruptcy Code 3007 and Local Rule 3007-1
#9	10/17/14	7994	Creditor AFSCME Council 25's Second Supplemental Submission in Support of Proof of Claim 2958 Pursuant to Sections 105 and 502(B) of the Bankruptcy Code 3007 and Local Rule 3007-1
#10	10/20/14		Transcripts of Court Ruling from the Bench
#11	10/30/14	8139	Notice of Appeal of Order Regarding City's Objection to Proof of Claim #2958 Filed By AFSCME Council 25 and its Affiliated Detroit Locals (Dkt. #4876)

II. Statement of issues on appeal.

1. Whether the Bankruptcy Court erred in holding that AFSCME's claim entitled "AFSCME Council 25 (13th Check ULP). MERC Case No. C12-E-092" set forth on line #7 of its proof of claim shall be in Class 11.

2. Whether the Bankruptcy Court erred in holding that AFSCME's claim entitled "City of Detroit Retirees Health Care: Grievance No. C10 A-025" set forth on line #17 shall be in Class 12.

Dated: November 11, 2014

Respectfully submitted,

/s/ Richard G. Mack, Jr.

Richard G. Mack, Jr., Esq.

Jack W. Schulz, Esq.

MILLER COHEN PLC

600 West Lafayette Blvd., 4th Floor

Detroit, MI 48226-3191

Telephone: (313) 964-4454

Facsimile: (313) 964-4490

richardmack@millercohen.com

jschulz@millercohen.com

*Counsel to Michigan Council 25 of
the American Federation of State,
County and Municipal Employees
(AFSCME), AFL-CIO*

Name and Address of Interested Parties:

Richard G. Mack, Jr., Esq.
Jack W. Schulz, Esq.
MILLER COHEN PLC
600 West Lafayette Blvd., 4th Floor
Detroit, MI 48226-3191
Telephone: (313) 964-4454
Facsimile: (313) 964-4490
richardmack@millercohen.com
jschulz@millercohen.com

Appellee

City of Detroit, represented by:

David G. Heiman (OH 0038271)
Heather Lennox (OH 0059649)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
dgheiman@jonesday.com
hlennox@jonesday.com

Bruce Bennett (CA 105430)
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 243-2382
Facsimile: (213) 243-2539
bbennett@jonesday.com

Thomas F. Cullen, Jr. (DC 224733)
Gregory M. Shumaker (DC 416537)
Geoffrey S. Stewart (DC 287979)

JONES DAY

51 Louisiana Ave., N.W.
Washington, D.C. 20001
Telephone: (202) 879-3939
Facsimile: (202) 626-1700
tfcullen@jonesday.com
gshumaker@jonesday.com
gstewart@jonesday.com

Robert S. Hertzberg (P30261)
Deborah Kovsky-Apap (P68258)
PEPPER HAMILTON LLP
4000 Town Center, Suite 1800
Southfield, MI 48075
Telephone: (248) 359-7300
Facsimile: (248) 359-7700
hertzbergr@pepperlaw.com
kovskyd@pepperlaw.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:
City of Detroit, Michigan,
Debtor.

Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

Order Regarding City's Objection to Proof of Claim #2958
Filed by AFSCME Council 25 and its Affiliated Detroit Locals
(Dkt. #4876)

For the reasons set forth in open Court on October 20, 2014, AFSCME's claim entitled "AFSCME Council 25 (13th Check ULP). MERC Case No. C12-E-092" set forth on line #7 of its proof of claim shall be in Class 11. AFSCME's claim entitled "City of Detroit Retirees Health Care: Grievance No. C10 A-025" set forth on line #17 shall be in Class 12.

It is so ordered.

Signed on October 20, 2014

/s/ Steven Rhodes
Steven Rhodes
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re)	
)	Chapter 9
)	
CITY OF DETROIT, MICHIGAN,)	Case No. 13-53846
)	
)	Hon. Steven W. Rhodes
)	
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PROOF OF SERVICE

The undersigned certifies that on November 11, 2014, the American Federation of State, County and Municipal Employees Council 25 (AFSCME) filed *Appellants AFSCME Council 25 and its Affiliated Detroit Locals' Designation of the Contents of the Record and Statement of Issues on Appeal* electronically with the Clerk of the Court for the United States Bankruptcy Court, Eastern District of Michigan, Southern Division using the CM/ECF System, which will send notification of such filing to all attorneys and parties of record registered electronically.

/s/ Richard G. Mack, Jr.
Richard G. Mack, Jr., Esq.
MILLER COHEN PLC
600 West Lafayette Boulevard, 4th Floor
Detroit, MI 48226-3191
Telephone: (313) 566-4787
Facsimile: (313) 964-4490
richardmack@millercohen.com